

TITLE 8 DEVELOPMENT CODE
DIVISION 7: GENERAL DESIGN STANDARDS
CHAPTER 10: CONDITIONAL GRADING COMPLIANCE.

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87.1010 Purpose.

The purpose of the Chapter is to assure compliance with conditions of approval on projects involving earthwork grading by providing on-site continuous inspections as required by the Building Official of grading projects or developments for which adopted conditions of approval require any specific or general features to be incorporated into the earthwork, or restrict or limit the earthwork in any way which is more restrictive than the grading provisions as prescribed in the Uniform Building Code.

Readopted Ordinance 3341 (1989)

87.1020 Scope.

The provisions of this Chapter apply to projects which have been conditionally approved and which involve grading in excess of 5000 cubic yards and when either of the following conditions exist: 1) Natural pregraded slopes of 15% or greater, or 2) requirements for natural open space retention. The provisions and conditions of this chapter are in addition to the provisions of the Uniform Building Code and any geotechnical investigation report recommendations.

Readopted Ordinance 3341 (1989)

87.1030 Quality Control Engineer's Responsibilities.

The quality control engineer shall not be employed by, have any relationship to, or interest in the developer, or any contracting, engineering or geotechnical companies performing work on or providing services to the project being inspected.

The quality control engineer shall be responsible for inspection of the work in progress to assure compliance with the conditions of approval which may include, but are not limited to slope ratio, slope height, slope location, areas of land disturbance or set provisions regarding archeology, paleontology, landscaping, erosion control, protection of native plants and animals, or any other conditions of approval which will control or impact grading. The quality control engineer shall report to and file reports with the Building Official as required by the Building Official.

Readopted Ordinance 3341 (1989)

87.1040 Developer's Deposit.

Prior to the issuance of the grading permit, the developer shall post a deposit with the Building Official in the amount and in the form specified by the Building Official. The deposit funds held in trust shall be dispersed to the quality control engineer by the Building Official under the terms of the agreement between the County and the quality control engineer to pay for the services of the quality control engineer. The Building Official will notify the developer if and when it becomes apparent that the deposit will be exhausted and the developer shall make such additional deposit as is required by the Building Official. If the developer fails to submit such additional deposit by the date specified by the Building Official, the Building Official shall suspend or revoke the grading permit, in accordance with the provisions of the Uniform Building Code and order that work on the project be ceased. Upon completion of the work, unused funds shall be returned to the developer within sixty (60) days following the final grading and quality control inspection approvals. Billings shall be in accordance with Land Management's Cost Accounting and Tracking System.

Readopted Ordinance 3341 (1989)

87.1050 Building Official Authority.

The Building Official shall have authority to adopt reasonable rules and regulations to clarify, interpret and enforce the provisions of this Chapter. The Building Official may approve variations when such variations are not detrimental to the life, health, safety or welfare of the public and are necessary because of particular or peculiar circumstances, and will achieve the same level of protection as the original condition. Variations of the environmental conditions shall be applied for and processed in the same manner as other grading variations.

Readopted Ordinance 3341 (1989)

87.1060 Authority to Contract.

For the purpose of the Chapter, the Building Official may retain, on behalf of the County, independent engineers to serve as the quality control engineer on projects regulated by this Chapter using a standard form contract approved by the board of Supervisors.

Readopted Ordinance 3341 (1989)

87.1070 Penalty For Noncompliance.

The Building Official is authorized and directed to enforce the provisions of this Chapter and may use any legal means to affect such enforcement, including suspending and/or revoking any permits that have been issued by the Building Official for the project, whether or not the permits are for the earthwork grading, and withholding issuance of any permits on the project for which applications have been filed. The Building Official is further authorized to expend any remaining funds in the developer's deposit to obtain compliance herewith.

Readopted Ordinance 3341 (1989)